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ACTION EA-15

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TO SECSTATE WASHDC PRIORITY 2056

S E C R E T SEOUL 3426

SUBJ: PRESIDENT'S

REPORT ON CAMBODIA - ENCOURAGEMENT OF
THIRD COUNTRY EFFORTS

REF STATE 103621

FOR AMBASSADOR BROWN FROM AMBASSADOR

I WILL NEED ADDITIONAL GUIDANCE ON STATEMENT IN PRESIDENT'S
REPORT ON CAMBODIA TO EFFECT THAT U.S. WILL ENCOURAGE AND
SUPPORT EFFORTS OF THIRD COUNTRIES WHO WISH TO FURNISH
CAMBODIA WITH TROOPS OR MATERIEL. INITIAL ROK ENTHUSIASM FOR
DISPATCH OF TROOPS TO CAMBODIA HAS WANED BUT MAY REVIVE IN
LIGHT OF WHAT ROKS MAY INTERPRET AS UGAS. OFFER TO HELP WITH
COST AND EQUIPMENT. FURTHER, ROKS MAY BE INCLINED TO AUG-
MENT THEIR PRESENT LIMITED OFFER OF MEDICAL SUPPLIES IF
THEY THINK WE WILL FOOT BILL. GP-3
PORTER

SECRET

State Department review completed

LONG DEBATE ENDS

Cooper-Church Limits on Cambodia Action Adopted, 58-37

Text of the Cooper-Church amendment is on Page 13.

By JOHN W. FINNEY
Special to The New York Times

WASHINGTON, June 30 — The Senate, moving to reassert the war-making powers of Congress, today adopted the long-debated Cooper-Church amendment to limit presidential action in Cambodia.

By a vote of 58 to 37, after 34 days of debate, the amendment was made part of the pending foreign military sales bill. The action was viewed as a victory for antiwar forces in the Senate, though it can take effect only if a similar measure passes the House, where the issue now goes. Considerable resistance is expected there.

Restrictions Are Detailed

The Senate's action represents the first time legislative restrictions on the President's powers as Commander in Chief have been voted during a shooting war. If it became law, the amendment—with an effective date of July 1—would bar the President from spending any funds without Congressional consent for the following purposes:

¶To "retain" American forces in Cambodia.

¶To send military advisers to instruct Cambodian forces.

¶To provide air combat to Cambodian forces.

¶To provide financial assistance to advisers or troops of other countries that go to the assistance of Cambodia. This was known as the "anti-mercenary" provision designed to prevent the Administration, without the knowledge and consent of Congress, from following the example set in South Vietnam, where the United

States has provided extra pay allowances for Thai, South Korean and Philippine troops supporting the Saigon Government's fight.

Military Sales Bill Approved

With the Cooper-Church amendment finally adopted after 288 speeches, the Senate went on to pass the foreign military sales bill by a 75 to 20 vote. The bill authorizes \$300-million in credit sales of arms in the current and coming fiscal years and imposes new restrictions, opposed by the Pentagon, on the disposal of surplus weapons to other countries. The current fiscal year ends at midnight tonight.

The amendment was co-sponsored by Senator John Sherman Cooper, Republican of Kentucky, and Senator Frank Church, Democrat of Idaho.

As the protracted, often slow-moving and confused debate

drew to a climax, the Senate beat back an attempt to modify the amendment so that the United States could provide additional pay to foreign troops, such as those of Thailand, going to the military assistance of Cambodia. It took four roll-call votes, however, to defeat that modification, offered by Senator Robert P. Griffin of Michigan, the assistant Republican leader, at the specific request of the White House.

Senator Griffin proposed to alter the restriction so that it would rule out only "United States personnel" as advisers to the Cambodians. His argument was that the restriction, as it stood, was so broadly phrased that it would interfere with the President's Guam Doctrine of helping Asians to defend themselves.

The Cooper-Church forces replied that nothing in the amendment would prevent the United States from supplying military assistance to other countries' forces going to the aid of Cambodia and that the restriction was designed only to prevent the United States from "hiring" troops to fight in Cambodia.

Initial Vote Reversed

The Griffin modification prevailed at first by a 47-to-46 vote in what appeared to be an Administration victory. But then through a series of parleys as the Cooper-Church forces maneuvered for time and a reconsideration of the

• In the succeeding votes, Senator Stuart Symington, Democrat of Missouri, switched his position and voted against the Griffin modification after Senator J. W. Fulbright, chairman of the Senate Foreign Relations Committee, hurriedly conferred with him in the back of the Senate chamber.

Senator Symington's initial vote for the Griffin modification, after he had talked with Senator Henry M. Jackson, Democrat of Washington, a supporter of the Administra-

tion move, caused gasps in the chamber. It was an investigation of "mercenary" arrangements in Vietnam and Laos by a Senate foreign relations subcommittee headed by Mr. Symington that had led to the prohibition in the Cooper-Church amendment.

On the fourth vote the Griffin modification was defeated by 50-to-45.

Pending the outcome of the voting on the Cooper-Church amendment, the Nixon Administration has reportedly been holding up arrangements with the Bangkok Government for dispatch of Thai troops into Cambodia. The restrictions in the amendment would presumably not apply to South Vietnamese troops so long as the Saigon Government did not demand extra pay for its forces operating in Cambodia.

Action Called Meaningless

As had been their intent since the debate began on May 13, Republicans succeeded in preventing a vote on the Cooper-Church amendment until the President had announced the withdrawal of all American forces from Cambodia. With the troops withdrawn, Senator Griffin promptly declared the amendment to be legally meaningless—an opinion not shared by supporters of the Cooper-Church legislation, who have al-

ways maintained that the amendment was aimed at preventing a new military involvement in Cambodia.

The constitution debate now shifts to a Senate-House conference committee—composed of members of the Senate Foreign Relations and the House Foreign Affairs Committees—to reconcile differences in the House and Senate versions of the military sales bill.

Whether the Senate Cambodian legislation, who have al-

From the start, the Administration has relied upon the more hawkish House to defeat the Cooper-Church amendment if it was adopted by the Senate.

But as Senator Church suggested, the Senate conferees will have one bargaining lever at their disposal—the desire of the Administration to obtain final approval of the foreign military sales bill. The clear implication in Senator Church's comments was that the Senate conferees might be prepared to see the entire bill die if the House members were unwilling to accept some variation of the Cooper-Church amendment.

During the debate, Hugh Scott of Pennsylvania, the Senate Republican leader, raised the possibility of a Presidential veto if the legislation reached Mr. Nixon with the Cooper-Church amendment intact. This

suggestion came indirectly with Senator Scott's observation that the amendment would have been "acceptable" to the Administration if the Griffin modification had been accepted.

Under the amendment, as finally approved, the Administration, at least by implication, would be free to provide air support to Thai or South Vietnamese forces operating in Cambodia. But it would be prohibited under the amendment from providing air support to Cambodian forces, as both Administration and Cambodian officials have suggested was being contemplated in recent days.

The wording of the amendment would permit the Administration to carry out air raids against Communist supply lines and bases in Cambodia, such as President Nixon said were planned in his report today. Administration officials have pointed out that such "air interdiction" operations could have the additional benefit of concurrently helping Cambodian forces.

During the debate, the preamble was revised to emphasize that the amendment was being offered "in concert" with the President's declared objectives of avoiding an involvement in Cambodia. A statement was also inserted affirming the constitutional powers of the President to protect the lives of American forces "wherever deployed."